IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

Bail Appl..No. 4124 of 2007()

AGAINST THE ORDER DATED 05/06/2007 IN CMP 1677 /2007 IN CMP.1676/2007 of J.M.F.C.,PEERUMEDU
CRIME NO.187/2007 OF PEERUMADE POLICE STATION

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PETITIONERS/ACCUSED NO. 6,10,12, & 14

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1. RATHEESH AGED 24 YEARS,
   S/O.GURUSWAMY,LAYAM DIVISION,
   KOZHIKANAM,ELAPPARA VILLAGE.

2. KRISHNAN AGED 28 YEARS,
   S/O.ARUNACHALAM,LAYAM I DIVISION
   KOZHIKANAM,ELAPPARA VILLAGE.

3. ALBERT AGED 26 YEARS,
   I DIVISION,KOZHIKANAM,
   ELAPPARA VILLAGE.

4. ARULDAS AGED 27 YEARS
   LAYAM I DIVISION
   KOZHIKANAM,ELAPPARA VILLAGE.

BY ADV. SRI.GEORGE SEBASTIAN

RESPONDENTS: COMPLAINANT

STATION HOUSE OFFICER,
PEERUMADE POLICE STATION,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/07/2007 ALONG WITH BA NO.4254/07, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.Nos.4124 & 4254 of 2007

Dated this the 9th day of July 2007

O R D E R

Application for regular bail. The petitioners do all face allegations in crime No.187/07 of Peerumade police station registered inter alia under Sections 308, 452 and Section 3(1) of the P.D.P.P.Act.

2. The crux of the allegations is that a police party, which had reached the scene of the crime, on coming to know of a conflict between two groups was assaulted and chased away. The police party tried to take shelter in the house of a local Panchayat member. Violent acts were performed on the said house and the occupants there also. The alleged incident took place on 03/06/2007 and the petitioners were arrested on 4/6/2007. The learned counsel for the petitioners does not press this application in so far as petitioners 3 and 4, that is accused 12 and 14 are concerned. They have already been enlarged on bail, it is submitted. The application B.A.No.4124/2007, in so far as those petitioners are concerned, can now be dismissed.

3. Regarding the remaining accused, the learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioners who have been continuing in custody from 4/6/2007 can now be enlarged

on bail subject to appropriate terms and conditions. In the absence of opposition from the learned Public Prosecutor, it is not necessary to advert to facts in any greater detail in this order. Suffice it to say that I am satisfied that the petitioners can be released on bail.

4. In the result, these petitions are allowed. The petitioner in B.A.No.4254 /2007 and the petitioners 1 and 2 in B.A.No.4124/2007 that is accused 6,10 and 11 shall be released on bail on the following terms and conditions:

i) They shall execute bonds for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007